IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

SATURDAY, THE 1ST DECEMBER 2007 / 10TH AGRAHAYANA 1929

Crl.Rev.Pet.No. 4311 of 2007()

CRA.NO. 394 OF 2004 OF THE ADDL. DISTRICT & SESSIONS JUDGE (ADHOC-III) NORTH PARAVUR
S.T. NO. 4919 OF 1999 OF J.F.C.M. NORTH PARAVUR

REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED:

B. SURESHKUMAR,
MASDOOR, DRY DOCKS COCHIN PORT TRUST, KOCHI-3
(NOW RESIDING, C/O. KRISHNANKUTTY MENON,
KRISHNA VILAS, KOCHUPILLI JUNCTION,ERAMALLUR P.O.

BY ADV. SRI.G.BALAMURALEEDHARAN (PARAVUR)

RESPONDENTS: RESPONDENTS/COMPLAINANT:

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1. M.M. SUKUMAR @ SUKUMAR MENON,
'DWARAKAMAYI', UDYOGAMANDAL P.O., ELOOR EAST.

2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.R.AMRITHRAJ MENON
PUBLIC PROSECUTOR SRI. C.M. NAZAR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 01/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 43111 of 2007

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Dated: 01-12-2007

ORDER

The accused in S.T. No. 4919 of 1999 on th**e file** of the J.F.C.M. North Paravur for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 12747 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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